

**REMARKS****Summary of the Office Action**

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,949,328 to Kase et al. (hereinafter “Kase”).

Claims 2-4 have been indicated as being allowable if rewritten in independent form.

**Summary of the Response to the Office Action**

Applicants have amended claim 2 to include the features of claim 1. Accordingly, claim 1 has been canceled without prejudice or disclaimer. Accordingly, claims 2-4 remain pending in this application.

**All Pending Claims Are Now in Condition for Allowance**

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Kase. Claims 2-4 have been indicated as being allowable if rewritten in independent form. Accordingly, Applicants have amended claim 2 to include the features of claim 1 in accordance with the Office Action’s indication of allowable subject matter. Claim 1 has thus been canceled without prejudice or disclaimer. As a result, Applicants respectfully submit that newly-amended independent claim 2 is now in *prima-facie* condition for allowance in light of the Office Action’s indication of allowable subject matter.

Moreover, dependent claims 3-4 are also in *prima-facie* condition for allowance in light of the Office Action’s indication of allowable subject matter and also because of their dependence on newly-amended independent claim 2.

Applicants note that the Office Action indicates, at page 3, section 2, that claims 2-4 “would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, set forth in this Office action ...” Applicants understand that this portion of the Office Action was included as an administrative error because there is currently no outstanding rejection under 35 U.S.C. § 112 applied against any of the claims of this application. In the event that Applicants’ understanding is incorrect in this regard, the Examiner is requested to provide clarification in the next Office Communication.

### **CONCLUSION**

In view of the foregoing remarks, Applicants respectfully request the entry of the Amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants’ undersigned representative to expedite the prosecution.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account

50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR**

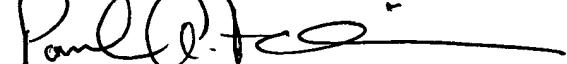
**EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: April 12, 2005

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